

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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EDDIE JAMES THOMAS, JR.,

Petitioner,

v.

ISIDRO BACA, et al.,

Respondents.

Case No. 3:13-cv-00043-MMD-WGC

ORDER

This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, filed by a Nevada state prisoner. On April 11, 2013, this Court granted petitioner's motion for counsel and appointed the Federal Public Defender to represent petitioner in this action (dkt. no. 8). On May 10, 2013, Megan C. Hoffman of the Federal Public Defender's Office appeared on behalf of petitioner (dkt. no. 12). The Court now sets a schedule for further proceedings in this action.

IT IS THEREFORE ORDERED that counsel for petitioner shall meet with petitioner as soon as reasonably possible, if counsel has not already done so, to: (a) review the procedures applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible, the potential grounds for habeas corpus relief in petitioner's case; and (c) advise petitioner that all possible grounds for habeas corpus relief must be raised at this time in this action and that the failure to do so will likely result in any omitted grounds being barred from future review.

1 IT IS FURTHER ORDERED, so that respondents may be electronically served
2 with the amended petition and any exhibits or documents filed through counsel, that the
3 Clerk of Court shall serve respondents with a copy of this order by certified mail to the
4 Office of the Attorney General, Criminal Division, 100 North Carson St., Carson City, NV
5 89701-4717. Respondents' counsel shall enter a notice of appearance herein within
6 twenty (20) days of entry of this order.

7 IT IS FURTHER ORDERED that petitioner shall have ninety (90) days from the
8 date of entry of this order, to file and serve on respondents an amended petition for writ
9 of habeas corpus, which shall include all known grounds for relief (both exhausted and
10 unexhausted).

11 IT IS FURTHER ORDERED that respondents shall have thirty (30) days after
12 service of an amended petition within which to answer, or otherwise respond to, the
13 amended petition. If petitioner does not file an amended petition, respondents shall
14 have thirty (30) days from the date on which the amended petition is due within which to
15 answer, or otherwise respond to, petitioner's original petition.

16 IT IS FURTHER ORDERED that, if and when respondents file an answer,
17 petitioner shall have thirty (30) days after service of the answer to file and serve a reply.

18 IT FURTHER IS ORDERED that any state court record exhibits filed by the
19 parties herein shall be filed with an index of exhibits identifying the exhibits by number
20 or letter. The CM/ECF attachments that are filed shall further be identified by the
21 number or numbers (or letter or letters) of the exhibits in the attachment.


22 IT IS FURTHER ORDERED that the parties shall send courtesy (paper) copies of
23 all exhibits presented in support of the amended petition and the response to the
24 amended petition to the Reno Division of this Court. Courtesy copies shall be mailed to
25 the Clerk of Court, 400 S. Virginia St., Reno, NV, 89501, and directed to the attention of
26 "Staff Attorney" on the outside of the mailing address label. Additionally, in the future,

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1 all parties shall provide courtesy copies of any additional exhibits submitted to the Court
2 in this case, in the manner described above.

3 DATED THIS 24th day of May 2013.

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7 MIRANDA M. DU
8 UNITED STATES DISTRICT JUDGE
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